

6 FAM 1220 PROCUREMENT

6 FAM 1221 GENERAL PROCUREMENT POLICY

6 FAM 1221.1 Procurement Regulations

(TL:GS-1; 8-22-91)
(State Only)

The Federal Acquisition Regulations (FAR) and the Department of State Acquisition Regulations and Procedures (DOSAR) govern procurement of personal property and nonpersonal services including construction by the Department of State except, however, the FAR and the DOSAR are not mandatory for those operations which enjoy exemption from the Federal Property and Administrative Services Act of 1949, as amended. The regulations in the DOSAR implement, supplement, and in some instances deviate from the FAR. Officers of the Department to whom procurement authority have been delegated should consult the Office of Acquisition whenever they are in doubt of applicability or interpretation of the FAR or the DOSAR.

6 FAM 1221.2 Acquiring Commercial or Industrial Products and Services

(TL:GS-1070; 4-2-73)
(State Only)

It is the policy of the Department of State to rely on private commercial sources to provide products and services for its domestic needs in accordance with standards contained in Office of Management and Budget Circular A-76, Revised August 30, 1967, entitled "Policies for Acquiring Commercial or Industrial Products and Services for Government Use". The guidelines of the circular will assist in determining whether commercial and industrial products and services are to be provided by private suppliers or by the Department. The following responsibilities and authorities will be performed in accordance with OMB Circular A-76, Revised:

(1) Departmental officers responsible for program planning and operations will consult with the Deputy Assistant Secretary for Operations when considering the establishment, reactivation, expansion, modernization, or replacement of activities to provide products or services which may be obtained from commercial sources;

(2) The Deputy Assistant Secretary for Operations will maintain and periodically review the inventory of Departmental commercial or industrial activities. The Deputy Assistant Secretary for Operations will recommend to the Assistant Secretary for Administration approval or disapproval of proposals to establish new facilities or to continue or discontinue existing facilities; and

(3) The Assistant Secretary for Administration may approve or disapprove the establishment of new activities or the continuation of existing activities and may also exempt specific activities from the periodic review specified in this section.

6 FAM 1221.3 Centralized Procurement

(TL:GS-1; 8-22-91)
(State Only)

Procurement services shall be performed for the Department on a centralized basis by the Office of Acquisition, except where personnel of other organizational units have been granted procurement authority by competent authority.

6 FAM 1221.4 Negotiations with Contractors or Suppliers

(TL:GS-1; 8-22-91)
(State Only)

Neither requisitioning officers controlling allotments nor operating officials shall enter into negotiations with prospective contractors or suppliers unless such negotiations are permitted by existing delegations of procurement authority (all persons with procurement authority have been provided copies of the pertinent delegations). Any employee who obtains goods or services in advance of the execution of a contract or issuance of a purchase order may become personally liable for payment.

6 FAM 1222 LEGAL AND OTHER REGULATORY REQUIREMENTS

(TL:GS-1; 8-22-91)
(State Only)

Officers who have been delegated procurement authority are governed by the following:

- (1) Limitations of Appropriations Act;
- (2) Other limitations imposed by statute or Executive Order;
- (3) Decisions of the Comptroller General;
- (4) Federal Acquisition Regulations (FAR);
- (5) Department of State Acquisition Regulations and Procedures (DOSAR);
- (6) Regulations of the Department of State other than the DOSAR; and

(7) General Accounting Office regulations and administrative instructions issued by other Government agencies having regulatory authority, such as the Office of Management and Budget and the General Services Administration.

6 FAM 1223 SECURITY REQUIREMENTS

(TL:GS-1070; 4-2-73)
(State Only)

Requisitioning offices must state on requisitions that classified or administratively controlled contracts will be necessary where such is the case. Access to classified or

administratively controlled information shall be granted only in accordance with the provisions of 5 FAM 900 .

6 FAM 1224 YEAR-END PROCUREMENT

6 FAM 1224.1 Policy

(TL:GS-1; 8-22-91)

(State Only)

It is the Department's policy to comply strictly with the statutory requirements governing the use of appropriations and to ensure that purchases near the end of the fiscal year represent a bona fide need of that fiscal year. Good procurement must be preceded by adequate planning and budget and fiscal management. Crash procurement and frantic year-end buying are inefficient and uneconomical. The following rules shall govern all fiscal year-end procurement:

(1) Orders for supplies, materials, equipment, and services shall be kept to the minimum needed to carry on essential, approved programs;

(2) Inventories shall be held to normal levels; and

(3) New contracts for future services shall be made only in accordance with established advance acquisition plans.

6 FAM 1225 THROUGH 6 FAM 1229 UNASSIGNED

